

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ADP-00 ACDA-19 EPA-04 CEQ-02 INT-08 EB-11

AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01 COA-02

CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00 NSC-10

PA-03 PRS-01 SS-15 USIA-15 AEC-11 AGR-20 CG-00 COME-00

DOT-00 FMC-04 JUSE-00 NSF-04 OMB-01 TRSE-00 RSR-01

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DEPT PLEASE PASS FOR INFO ALL DIPLOMATIC POSTS
AND AMCON HONG KONG AND NASSAU

EO 11652: N/A

TAGS: PROB, UN

SUBJECT: LOS: SEABED MEETING, SUMMARY OF FOURTH WEEK

1. OVERALL SUMMARY. SUBCOMMITTEE I CONTINUED TO CONCENTRATE ON DRAFT ARTICLES REGARDING FUNCTIONS AND POWERS OF INTERNATIONAL ORGANS FOR SEABED REGIME BEYOND NATIONAL JURISDICTION. SUBCOMMITTEE II WITNESSED INTRODUCTION OF NUMBER OF PROPOSALS ON ISSUES WITHIN ITS MANDATE AND DISCUSSION COMMENCED ON FISH-ERIES AND ECONOMIC ZONE. IN SUBCOMMITTEE III, SEVERAL NEW PROPOSALS WERE INTRODUCED ON MARINE POLLUTION AND SCIENTIFIC RESEARCH, WITH DISCUSSION CENTERING ON MARINE POLLUTION STANDARDS.

2. MAIN COMMITTEE. MAIN COMMITTEE MET ONCE DURING FOURTH WEEK (JULY 23-JULY 27, 1973). DISCUSSION WAS DEVOTED LARGELY UNCLASSIFIED

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TO SERIES OF PROTEST STATEMENTS BY PACIFIC OCEAN STATES, AND SOME OTHERS, AGAINST FRENCH NUCLEAR TESTING IN ATMOSPHERE.

3. SUBCOMMITTEE I.

A. SUBCOMMITTEE I HAD LONG, INCONCLUSIVE DEBATE ON PROCEDURE OVER ISSUE OF WHETHER ITS WORKING GROUP ON MACHINERY SHOULD BE PERMITTED TO CONTINUE TO WORK THROUGH SESSION OR SHOULD BE DISCONTINUED AFTER FIRST OF AUGUST TO PERMIT TIME FOR INTENSIVE POLITICAL NEGOTIATIONS. SPOKESMAN FOR GROUP OF 77 SUPPORTED IDEA OF SOME CHANGE IN PROCEDURE, WHILE MANY DEVELOPED COUNTRY DELS OBJECTED STRONGLY TO ENDING FUNCTIONS OF WORKING GROUP BEFORE IT HAD COMPLETED PREPARATION OF TEXTS.

B. WORKING GROUP ON SEABED MACHINERY COMPLETED FIRST READING OF FUNCTIONS AND POWERS AND POWERS OF COUNCIL, OF ENTERPRISE AND OF VARIOUS COMMISSIONS, LEAVING ONLY TRIBUNAL, SECRETARIAT AND COMPOSITION OF ORGANS OF AUTHORITY TO BE TAKEN UP. U.S. SUBMITTED TWO EXTENSIVE DRAFT ARTICLES, BOTH DRAWN FROM U.S. DRAFT SEABEDS TREATY: ONE ARTICLE UNDER POWERS AND FUNCTIONS OF COUNCIL ON RULES, STANDARDS AND PRACTICES, AND SECOND ARTICLE ON POWERS AND FUNCTIONS OF OPERATIONS COMMISSION

WHICH APPEARS AS ALTERNATE SYSTEM TO ENTERPRISE ADVOCATED BY CERTAIN LATIN AMERICAN AND OTHER DELS.

4. SUBCOMMITTEE II.

A. IN SUBCOMMITTEE II, NUMBER OF DRAFT PROPOSALS AND ARTICLES WERE INTRODUCED, EXPLAINED AND DISCUSSED. THICK COMPARATIVE TABLE (POUCHED TO SEPT.) OF ALL PROPOSALS SUBMITTED TO SUBCOMMITTEE II WAS COMPLETED BY SECRETARIAT AND DISTRIBUTED. SIGNIFICANT PROPOSALS INCLUDED FIJIAN DRAFT ARTICLES ON PASSAGE THROUGH TERRITORIAL SEA, LANDLOCKED/SHELF-LOCKED ARTICLES ON COASTAL STATE RESOURCE JURISDICTION, AFRICAN ARTICLES ON EXCLUSIVE, ECONOMIC ZONE, ITALIAN ARTICLES ON FREE TRANSIT, SIX-POWER PROPOSAL ON FISHERIES, AND UGANDA/ZAMBIA PROPOSAL REGARDING LANDLOCKED STATES. U.S. REPRESENTATIVE DELIVERED STATEMENT ON U.S. POSITION OF FREEDOM OF TRANSIT THROUGH AND OVER STRAITS USED FOR INTERNATIONAL NAVIGATIONS.

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B. IN SUBCOMMITTEE II WORKING GROUP, DISCUSSION SHIFTED DURING FOURTH WEEK FROM CONTINENTAL SHELF AND ECONOMIC ZONE TO FISHERIES AND ECONOMIC ZONE. U.S. INTERVENED TO STRESS SPECIES APPROACH ON FISHERIES. AT END OF WEEK, CHAIRMAN SUGGESTED FORMATION OF SMALL, INFORMAL GROUP TO PRODUCE ALTERNATIVE TEXTS ON FISHERIES BASED ON PROPOSALS SUBMITTED. U.S. WEO'S IN GENERAL AND EASTERN EUROPEANS STRONGLY SUPPORTED CHAIRMAN AND INITIATIVE BUT LATIN AMERICANS AND SEVERAL OTHER STATES OBJECTED TO CONSENSUS PROCEDURES IN WORKING GROUP. SUGGESTION WAS THEREFORE NOT ACCEPTED. CHAIRMAN ANNOUNCED THAT INFORMAL CONSOLIDATED TEXT ON TERRITORIAL SEA (INCLUDING STRAITS AND ARCHIPELAGOES) WOULD BE AVAILABLE NEXT WEEK. TEXTS OF ALL PROPOSALS SUBMITTED HAVE BEEN POUCHED TO DEPT.

5. SUBCOMMITTEE III.

A. (1) IN SUBCOMMITTEE III, NORWEGIAN ARTICLES ON PROTECTION OF MARINE ENVIRONMENT COVER ALL SOURCES OF MARINE POLLUTION BUT ARTICLE ON COASTAL STATE JURISDICTION IS BLANK. NORWAY CALLED FOR PRECISE RULES IN THIS LATTER RESPECT. FRANCE INTRODUCED ARTICLES ON COASTAL STATE RIGHTS IN PREVENTING POLLUTION, WHICH WOULD GIVE COASTAL STATE LIMITED ENFORCEMENT RIGHTS IN ZONE (LIMIT IS BLANK) ADJACENT TO COAST. PERU, EQUADOR, EL SALVADOR AND URUGUAY INTRODUCED WORKING PAPER GIVING COASTAL STATE RIGHT TO ENACT PROVISIONS TO PROTECT MARINE ENVIRONMENT WITHIN LIMITS OF ITS SOVEREIGNTY AND NATIONAL JURISDICTION.

(2) PAPER ON RESEARCH, COSPONSORED BY BRAZIL, EQUADOR, EL SALVADOR AND URUGUAY GRANTS COASTAL STATE RIGHT TO REGULATE RESEARCH WITHIN ITS NATIONAL SOVEREIGNTY AND JURISDICTION.

(3) PRC INTRODUCED WORKING PAPER ON SCIENTIFIC RESEARCH WHICH CALLS FOR COASTAL STATE CONSENT FOR RESEARCH CONDUCTED WITHIN NATIONAL JURISDICTION. RESEARCH WITHIN THE INTERNATIONAL SEA AREA SHALL BE GOVERNED BY THE INTERNATIONAL REGIME AND MACHINERY.

(4). PAKISTAN AND VENEZUELA SPOKE ON NEED FOR TRANSFER OF TECHNOLOGY TO DEVELOPING COUNTRIES. GENERAL DEBATE NOW ENDED ON THAT SUBJECT.

B. (1) SUBCOMMITTEE III WORKING GROUP ON MARINE POLLUTION COM-
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MENCED CONSIDERATION OF STANDARDS: PRESCRIPTION AND IMPLEMENTATION. MAJOR DIFFERENCES OF OPINION EMERGED OVER ISSUES OF STANDARDS FOR CONTROL OF LAND-BASED POLLUTION SOURCES, EXPLORATION AND EXPLOITATION ACTIVITIES IN SEABED AND VESSEL SOURCE POLLUTION.

(2) GENERALLY DEVELOPING COUNTRIES ARE OPPOSED TO CONTROLS OVER THEIR OWN LANDBASED SOURCES OF POLLUTION. U.S. PROPOSAL FOR MINIMUM INTERNATIONAL STANDARDS IN COASTAL SEABED ECONOMIC AREA HAS RECEIVED LIKE SUPPORT. DEVELOPING COUNTRIES CONTINUE TO PRESS FOR AUTHORITY TO SET STANDARDS FOR VESSELS WITHIN THEIR NATIONAL JURISDICTION.

(3) SOVIETS GAVE SUPPORT FOR REGIONALISM AND NOTED WITH RESPECT TO VESSELS THAT STATES MUST BE ABLE TO SET STANDARDS EVEN IF THEY WOULD HAVE TO TAKE INTO ACCOUNT INTERNATIONAL STANDARDS. SUCH VESSEL STANDARDS MAY NOT BE LOWER THAN THOSE AGREED INTERNATIONALLY.

(4) WORK IN DRAFTING GROUP WILL CONTINUE ON VESSEL POLLUTION STANDARDS, AS WELL AS CONSIDERATION OF COASTAL STATE RIGHTS.

C. SCIII WORKING GROUP SCIENTIFIC RESEARCH AND TRANSFER OF TECHNOLOGY HAS HELD FIVE SESSIONS AND HAS BEEN UNABLE TO PROCEED

BEYOND ITEM 1 OF COMPARATIVE TABLE OF DRAFT ARTICLES ENTITLED
"DEFINITIONS AND OBJECTIVES OF MARINE SCIENTIFIC RESEARCH".
ITEM 1 IS NOW BEING CONSIDERED BY INFORMAL DRAFTING GROUP AND WG
WILL MOVE ON TO CONSIDER ITEM 2, "RIGHT TO UNDERTAKE SCIENTIFIC
RESEARCH WITH NATIONAL JURISDICTION AND IN THE INTERNATIONAL AREA".
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